Honorable Marsha J. Pechman 1 2 3 4 5 6 7 UNITED STATES DISTRICT COURT WESTERN DISTRICT OF WASHINGTON AT SEATTLE 8 DEREK TUCSON, ROBIN SNYDER, No. 2:23-cv-00017-MJP 9 MONSIEREE DE CASTRO, and ERIK MOYA-DELGADO. DECLARATION OF NATHANIEL FLACK 10 IN SUPPORT OF PLAINTIFF'S MOTION FOR PRELIMINARY INJUNCTION Plaintiffs, 11 v. 12 CITY OF SEATTLE, ALEXANDER 13 PATTON, TRAVIS JORDAN, DYLAN NELSON, JOHN DOES (#1-4), and JANE 14 DOES (#1-2) 15 Defendants. 16 17 I, Nathaniel Flack, declare as follows: 18 1. I am an attorney licensed to practice law in the State of Washington. I represent 19 Plaintiffs in the above matter. I have personal knowledge of the following. 20 2. Attached here is a true copy of the arrest report documenting Defendants' arrest of 21 Plaintiffs on January 1, 2020, labeled Exhibit 1. 22 3. Attached here is a true copy of a letter to the editor, by Mark Sidran, published by the 23 Seattle Post-Intelligencer on August 29, 1996, labeled **Exhibit 2.** 24 4. Attached here is a true copy of an article published April 3, 1996 in the Seattle Post-25 Intelligencer, titled "Unremoved Graffiti Could Lead to Fines," labeled **Exhibit 3**. 26 27 DECLARATION OF NATHANIEL FLACK IN SUPPORT OF

1	5. Attached here is a true copy of an April 1996 memorandum from then City Attorney
2	Mark Sidran to the City Council, labeled Exhibit 4.
3	6. Attached here are records of complaints regarding the temporary barrier blocking the
4	sidewalk in front of the East Precinct on January 1, 2021, obtained via the City of
5	Seattle's publicly available permitting records portal on January 13, 2023, labeled
6	Exhibit 5.
7	7. Attached here is Seattle City Council 120521, passed by the City Council on and
8	signed by Seattle Mayor Bruce A. Harrell on March 14 th , 2023, labeled as Exhibit 6.
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10	I swear the foregoing is true to the best of my knowledge under penalty of perjury under the laws
11	of the United States of America.
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13	SIGNED this 23 rd day of March at Seattle, WA
14	MacDONALD HOAGUE & BAYLESS
15	
16	By:/s/Nathaniel Flack Nathaniel Flack, WSBA #58582
17	NathanielF@mhb.com
18	Attorneys for Plaintiffs
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1	<u>CERTIFICATE OF SERVICE</u>
2	I hereby certify that on this date I electronically filed the foregoing document with the
3	Clerk of the Court using the CM/ECF system, which will send notification of such filing to the
4	following individuals:
5	
6	Attorneys for Defendants
7	Ann Davison Seattle City Attorney
9 10 11	Jessica Leiser, WSBA#49349 Assistant City Attorney Email: Jessica.leiser@seattle.gov Kerala Cowart, WSBA #53649 Assistant City Attorney
12	Email: kerala.cowart@seattle.gov
13 14	Seattle City Attorney's Office 701 Fifth Avenue, Suite 2050 Seattle, WA 98104
15 16 17	DATED this 23 rd day of March, 2023, at Seattle, Washington.
18	s/ Lucas Wildner
19	Lucas Wildner, Legal Assistant
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